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Attorney for Defendant
ALFREDO SANCHEZ

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

| | | |
|---------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA, |) | CASE NO. 4:07-cr-409-SBA |
| |) | |
| Plaintiffs, |) | STIPULATION AND ORDER |
| |) | TO CONTINUE STATUS OR TRIAL |
| vs. |) | SETTING HEARING FOR ALL |
| |) | DEFENDANTS |
| |) | |
| ALFREDO SANCHEZ, |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

IT IS HEREBY STIPULATED by and between defendants ALFREDO SANCHEZ AND JOEL SANCHEZ, through their attorneys, ROBERT L. FORKNER AND EDWARD G. DUREE, respectively, and plaintiff United States of America, through its counsel of record, Assistant United States Attorney KIMBERLY MARIE BRIGGS, stipulate and agree to the following:

1. The presently scheduled status or trial setting hearing date of July 24, 2007, at 9:00 a.m., shall be vacated for all defendants and be rescheduled for further status or trial setting hearing on September 11, 2007 at 9:00 a.m.

1 2. The reason for the requested continuance of the trial
2 setting hearing is that the defendant ALFREDO SANCHEZ, is and must
3 appear in a State matter at SOUTH COUNTY MUNICIPAL COURT, located
4 at 12425 Monterey Road, San Martin, California on July 24, 2007 at
5 9:00 a.m., failure to appear will result in the issuance of a
6 warrant for defendant, ALFREDO SANCHEZ'S arrest. client is
7 unavailable for a status or trial setting hearing on July 24, 2007,
8 as it is described in the accompanying Declaration of ROBERT L.
9 FORKNER.

10 3. Time from the date of this stipulation to, and including,
11 the proposed September 11, 2007, status conference shall be
12 excluded from computation of time within which the trial of this
13 matter must be commenced under the Speedy Trial Act pursuant to 18
14 U.S.C. § 3161 (h) (8) (A) and (B) (iv) and Local Code T-4,
15 pertaining to continuity of defense counsel.

16
17 Dated: July 18, 2007

/s/ Robert L. Forkner

18 _____
ROBERT L. FORKNER
Attorney at Law

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20 Dated:

21 _____
EDWARD G. DUREE
Attorney at Law


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23 Dated:

24 _____
KIMBERLY MARIE BRIGGS
Assistant U.S. Attorney

ORDER

UPON GOOD CAUSE SHOWN and the stipulation of all parties, it is ordered that the July 24, 2007 at 9:00 a.m., status or trial setting hearing be vacated and continued to September 11, 2007, at 9:00 a.m., for all defendants. The Court finds that the ends of justice to be served by granting a continuance outweigh and the best interests of the public and the defendants in a speedy trial. It is ordered that time from the date of this stipulation to, and including, the proposed September 11, 2007, status or trial setting hearing shall be excluded from computation of time within which the trial of this matter must be commenced under the Speedy Trial Act pursuant to 18 U.S.C. § 3161 (h) (8) and (B) (iv), pertaining to continuity of defense counsel.

Dated: 7/23/07


SAUNDRA BROWN ARMSTRONG
United States District Judge

DECLARATION OF ROBERT L. FORKNER

I, ROBERT L. FORKNER, hereby declare under penalty of perjury as follows:

1. I am currently counsel for defendant ALFREDO SANCHEZ in the case of United States v. ALFREDO SANCHEZ, et al., No. 04:07-cr-409-SBA.

2. A status or trial setting hearing is currently scheduled before this court for July 24, 2007.

3. The South County Municipal Court has ordered ALFREDO SANCHEZ to appear in the matter of People v. Sanchez. Docket No. FF088803 at 9:00 a.m. on July 24, 2007. In that matter my client Alfredo Sanchez may be issued a warrant if he fails to appear.

4. My client has yet to review his matter with me, this is part of the reason why I am requesting additional time.

5. This continuance will provide the time needed to meet and confer with Mr. Sanchez about his federal matter.

Dated: July 18, 2007

/s/ Robert L. Forkner

ROBERT L. FORKNER
Attorney at Law